

F I L E D
Clerk
District Court

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OCT 27 2005

For The Northern Mariana Islands
By _____
(Deputy Clerk)

5 Attorneys for Plaintiffs
6 Kenneth C. Cochrane,
7 Eric P. Cochrane,
and the minor child Achali K. Cochrane,
represented by Kenneth C. Cochrane

8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE NORTHERN MARIANA ISLANDS

10 KENNETH C. COCHRANE, ERICA P.) CIVIL CASE NO. 05-0013
11 COCHRANE, and ACHALI K.)
12 COCHRANE, a minor child represented by) PLAINTIFFS' SUPPLEMENTAL
13 Kenneth C. Cochrane,) INITIAL DISCLOSURES
14 Plaintiffs,)
15 vs.)
16 FRANCISCO W. BORJA,)
17 Defendant.)
18

19 COMES NOW Plaintiffs by and through counsel, and for their Initial Disclosures
20 Pursuant to Rule 26(a)(1), discloses as follows:

21 INTRODUCTION

22 This case arose out of a car accident, which occurred on December 7, 2003 where the
23 Plaintiffs' and Defendant's vehicles collided at the intersection of Middle Road and Navy Hill
24 Road. DPS concluded that this accident was caused by Defendant's failure to yield the right-
25 of-way. This conclusion has been confirmed by answers to interrogatories propounded to
26 Defendant and his deposition testimony. Through his negligence, defendant has caused a
27 young family to suffer physical, economic and emotional harm. Fortunately, Mr. Cochrane and
28 his daughter were not seriously harmed, but Mrs. Cochrane suffered fairly serious injury that

ORIGINAL

1 took a long time to recover and placed a severe strain upon her family life. Both the physical
2 recovery and the emotional trauma from the accident made it impossible for Mrs. Cochrane to
3 continue with her position at Coastal Resource Management. The stress from this recovery has
4 been such that Mrs. Cochrane has sought counseling in order to convalesce. With liability
5 clear, and a reasonable offer on the table, this matter should be quickly and expeditiously
6 settled so that the Cochrane family can get on with their lives and put this painful experience
7 behind them.

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DISCLOSURES

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11 1. Disclosures pursuant to Federal Rule of Procedure 26(a) (1) (A).

12 a. Kenneth C. Cochrane
13 c/o O'Connor, Berman Dotts & Banes
Witness to the accident

14 b. Erica P. Cochrane
15 c/o O'Connor, Berman Dotts & Banes
Witness to the accident

16 c. Mr. Francisco W. Borja
17 c/o G. Anthony Long
Witness to the accident

18 d. The police personnel named on the police report.

19 e. Various personnel named in the related CHC medical records.

20 f. Plaintiff Erica Cochrane's medical treatment personnel: Marianas
21 Medical Center; Dr. Tony Stearns; 7th Day Adventist Clinic; Anne Erhard; Steve Arthur; David
22 Ahrens; Dr. Chan; Raising Sun Yoga; and University of Wisconsin Hospital.
23

25

26 2. Disclosures pursuant to Federal Rule of Procedure 26(a) (1) (B).

27

28 The following documents are currently available or will become available upon proper
notification for inspection at the Law Offices of O'Connor Berman Dotts & Banes:

1 a. DPS Report dated December 12, 2003.

2 b. Various medical records and bills from CHC related to CHC's treatment
3 of Plaintiffs.

4 c. Various medical records and bills from Marianas Medical Center; 7th
5 Day Adventist Dental Clinic; Anne Erhard, psychologist; Steve Arthur, chiropractor; David
6 Ahrens, massage therapist; Dr. Chan, acupuncture and massage; Raising Sun Yoga; and
7 University of Wisconsin Hospital. Plaintiff has produced a great deal of these records already,
8 but difficulties in obtaining complete sets of medical records and billing statements continue.
9 Plaintiffs will, as they have been doing, update these items as soon as practicable.

10 d. Release signed by Plaintiffs related to their claim for property damage.

11 e. CHC medical release dated July 21, 2005.

12 3. Disclosures pursuant to Federal Rule of Civil Procedure 26(a) (1) (C).

13
14 a. Plaintiffs are claiming pain and suffering and Plaintiff Erica Cochrane is
15 also claiming lost wages. Plaintiffs estimate that the damages for emergency room and direct
16 medical care for their injuries are nearly \$3000.00 and that continuing therapy and treatment
17 for Mrs. Cochrane amount to \$7500.00. Plaintiffs have been able to secure partial billing
18 records for these amounts, which substantiate over \$3000.00 of the total cost and are
19 attempting to secure further documentation of these losses. Additionally, Mrs. Cochrane's
20 injuries have caused her to lose approximately \$9500.00 in lost wages. Plaintiffs reserve their
21 right to supplement this disclosure.

22
23 4. Disclosures pursuant to Federal Rule of Civil Procedure 26(a) (1) (D).

24
25 a. Royal Crown has produced a copy of the relevant insurance policy.

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2 Dated: October 27, 2005
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O'CONNOR BERMAN DOTT & BANES
Attorneys for Plaintiffs Kenneth C. Cochrane,
Erica P. Cochrane, and Achali K. Cochrane

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6 By: 
7 DAVID G. BANES
CNMI Bar No. F0171
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